



Montana Department of Transportation  
PO Box 201001  
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## Construction Memorandum

To: District Construction Engineers

From: Jake Goettle  
Erosion Control/Construction Permitting Engineer

Thru: Paul Jagoda, P.E.  
Construction Engineering Services Engineer

Date: March 4, 2004

Subject: Clarifying MPDES/NPDES Inspection Frequency

This Construction Memo is to clarify the discrepancies in the required inspection frequencies between the Erosion and Sediment Control Best Management Practices: Field and Reference Manuals, the Montana Pollutant Discharge Elimination Systems (MPDES)/National Pollutant Discharge Elimination Systems (NPDES) General Permit for Storm Water Discharges Associated with Construction Activities (General Permit), and the project specific Storm Water Pollution Prevention Plan (SWPPP).

The new General Permit, effective June 8, 2002, relaxed the requirement on inspections from once every seven days to *once every fourteen days and within 24 hours after any storm event of 0.5 inches or greater*. This requirement was relaxed further to reduce inspections to monthly during periods of construction shutdown or upon completion of project earthwork activities. The Department's SWPPP follows this language as stated in the new General Permit.

At a minimum, inspections will be performed once every fourteen calendar days (unless otherwise specified) and within 24 hours after any storm event of 0.5 inches or greater.

Please see the attached sheet for updates to the Field and Reference Manuals and additional information.

For assistance or questions related to Erosion Control, please contact Jake Goettle @ 444-7648 or Jean Riley @ 444-9456.

PJ/jg

CC: EPMs  
Mark Wissinger, PE  
Dave Hill

District Office Engineers  
FHWA Operations Engineers  
Jean Riley

CES Bureau  
Joel Marshik, PE

Lisa Durbin, PE  
DAs

## Attachment

### Addendum to The Erosion and Sediment Control Best Management Practices: Field and Reference Manuals

#### **The Erosion and Sediment Control Best Management Practices: Field and Reference Manuals**

electronic version will be updated and placed on MDT's intranet at the following location: <http://mdtinfo/research/projects/env/erosion.shtml>

These corrections are made to reflect the current requirements in the General Permit and SWPPP. Reference your contract documents to check the requirements for your specific project. Add the following corrections to your hard copies of the BMP Field and Reference Manuals:

#### **Field Manual**

##### **Page 127, Paragraph 2:**

Rescind the sentence: **"BMPs shall be inspected at minimum weekly, prior to a forecasted storm event, and following storm events to ensure the integrity of the BMPs"**

Replace with: **"BMPs shall be inspected at a minimum once every fourteen calendar days (unless otherwise specified) and within 24 hours after any storm event of 0.5 inches or greater."**

##### **Page 127, Paragraph 4:**

Rescind the sentence: **"The Contractor and Engineer shall inspect all BMPs at a minimum weekly, prior to a forecasted storm event, and following storm events."**

Replace with: **"The Contractor shall inspect all BMPs at a minimum once every fourteen calendar days (unless otherwise specified) and within 24 hours after any storm event of 0.5 inches or greater."**

#### **Reference Manual**

##### **Page 203, Paragraph 1:**

Rescind the sentence: **"BMPs shall be inspected at minimum weekly, prior to a forecasted storm event, and following storm events to ensure the integrity of the BMPs."**

Replace with: **"BMPs shall be inspected at a minimum once every fourteen calendar days (unless otherwise specified) and within 24 hours after any storm event of 0.5 inches or greater."**

##### **Page 203, Paragraph 8:**

Rescind the sentence: **"The Contractor and Engineer shall inspect all BMPs at a minimum weekly, prior to a forecasted storm event, and following storm events."**

Replace with: **"The Contractor shall inspect all BMPs at a minimum once every fourteen calendar days (unless otherwise specified) and within 24 hours after any storm event of 0.5 inches or greater."**

##### **Page 207, Paragraph 14:**

Rescind the sentence: **"Inspect all erosion and sediment control and waste management features implemented for the project on a weekly basis, prior to forecasted storm events, and after storm events."**

Replace with: **"Inspect all erosion and sediment control and waste management features implemented for the project on a bi-weekly basis (unless otherwise specified) and within 24 hours after any storm event of 0.5 inches or greater."**

##### **Page 210, Paragraph 3:**

Rescind the sentence: **"During construction, the Contractor and the Engineer will inspect all BMPs on a minimum on a weekly basis, prior to forecasted storm events, and after storm events."**

Replace with: **"During construction, the Contractor will inspect all BMPs on a minimum on a bi-weekly basis and within 24 hours after any storm event of 0.5 inches or greater."**

**Page 210, Paragraph 7:**

Rescind the sentence: **“The weekly monitoring and storm event inspections are designed to reveal those BMPs that may require maintenance and/or replacement before they may become a compliance issue.”**

Replace with: **“The bi-weekly monitoring and storm event inspections are designed to reveal those BMPs that may require maintenance and/or replacement before they may become a compliance issue.”**

**Page 221, Paragraph 2:**

Rescind the sentence: **“The MDT Maintenance Division shall perform BMP monitoring weekly with additional site visits before predicted storm events and soon after storm events.”**

Replace with: **“The MDT Maintenance Division shall perform BMP monitoring monthly and within 24 hours after any storm event of 0.5 inches or greater.”**

**Additional Information**

Note: Remember to reference the contract provisions for your specific project on these issues.

The BMP Field and Reference Manuals are not part of the contract documents but are guides and referenced in the Erosion and Sediment Control (Revised 10-28-03) Special Provision as follows, “are guides for devices and measures for erosion and sediment control and pollution prevention.”

In accordance with the Erosion and Sediment Control (Revised 10-28-03) Special Provision: The contractor is to conduct inspections of BMPs according to the MPDES/NPDES and General Permit and provide one copy of the signed inspection report to the Project Manager within three calendar days of the inspection. Therefore, in accordance with the current MPDES/NPDES requirements and this special provision the contractor must conduct and provide a signed copy of the inspection at a minimum of once every fourteen days.

MDT is also required to sign the SWPPP inspection report once every fourteen days. The options are for MDT to sign the inspection report once the contractor gives the Project Manager the signed inspection report or conduct a separate SWPPP inspection on the opposite weeks the contractor conducts their inspection. The preferred method is to conduct a separate SWPPP inspection on opposite weeks the contractor conducts their inspection. This would provide a weekly inspection of the BMPs and assist in timely recognition of any concerns or corrections that may be needed.

Following is the link to the MDT SWPPP Inspection Report Form:

[http://mdtinfo/const/net/internal/forms/SWPPP\\_inspection\\_report.doc](http://mdtinfo/const/net/internal/forms/SWPPP_inspection_report.doc)

The BMP Field and Reference Manuals are living documents and will be updated as needed. The Erosion Control/Construction Permitting Engineer is the lead on updating these manuals; please send any corrections or comments to Jake Goettle.